

**MINUTES
CITY OF EDINA, MINNESOTA
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
February 8, 2012
7:00 P.M.**

I. CALL TO ORDER

Acting Chair Carpenter called the meeting of the Edina Planning Commission to order at 7:00 PM.

II. ROLL CALL

Answering the roll call were Commissioners Scherer, Forrest, Schroeder, Rock, Potts, Platteter, Cherkassky, Fischer, Carpenter.

Absent from the roll call were Staunton and Grabiell

III. APPROVAL OF MEETING AGENDA

Meeting Agenda was approved as submitted.

IV. APPROVAL OF CONSENT ITEMS

Commissioner Potts moved approval of the January 25, 2012, meeting minutes. Commissioner Scherer seconded the motion. All voted aye; motion carried.

V. COMMUNITY COMMENT

No comment.

Acting Chair Carpenter suggested that the requested Lot Division for 4236 Lynn Avenue be heard at this time.

VI. REPORTS/RECOMMENDATIONS

2012.0002.12a	Lot Division
	Carl Nelson/Frank Sidell
	4236 Lynn Avenue, Edina, MN

Planner Presentation

Planner Teague informed the Commission that Raun Nelson and Carol & Frank Sidell are requesting to shift the existing lot line that divides their properties at 4236 Lynn Avenue.

Continuig, Teague explained there is no new lot being created with the request, it is simply a shift in the rear lot lines to sell land to the adjacent property owner. Land owned by Carol & Frank Sidell, would gain additional land to be similar in depth to the lots also owned by Carol & Frank Sidell, to the north and south. The 4236 Lynn Avenue lot would be smaller in size, but similar in depth to the lots to the north and south.

Planner Teague concluded that staff recommends that the City Council approve the Lot Division of 4236 Lynn Avenue and Parcel A as submitted on the proposed lot division date stamped January 30, 2011 subject to the following findings:

1. The existing and proposed lots meet all minimum lot size requirements.
2. The two lots involved in the lot division are larger than most lots within the neighborhood.

Approval is also subject to the following conditions:

1. All building activity on either lot must comply with all minimum zoning ordinance standards.

Motion

Commissioner Fischer moved to recommend lot division approval based on staff findings and subject to staff conditions. Commissioner Scherer seconded the motion. All voted aye; motion carried.

VII. PUBLIC HEARINGS

**2011.0011.11A Final Rezoning/PUD
FE 70, LLC
6996 France Avenue, Edina, MN**

Planner Presentation

Planner Teague informed the Commission that FE 70, LLC is proposing to tear down the existing gas station at 6996 France Avenue and re-build an 8,260 square foot office/retail building. The

building would include a 3,000 square foot retail store (Vitamin Shop) and a 5,260 square foot financial office. To accommodate this proposed redevelopment, the following is requested:

- Final Rezoning from PCD-4, Planned Commercial District to PUD, Planned Unit Development;
- A Zoning Ordinance Amendment that establishes the PUD, Zoning District; and
- Final Development Plan.

Planner Teague noted that the City Council approved Preliminary Rezoning from PCD-4, Planned Commercial District to PUD, Planned Unit Development, and Preliminary Development plan for this project on December 6, 2011. The footprint of the building and the parking arrangement has not changed from the preliminary approval.

Planner Teague concluded that staff recommends that the City Council approve the Final Rezoning from PCD-4, Planned Commercial District to PUD, Planned Unit Development District; adoption of the Ordinance Amending the Zoning Ordinance to establish the PUD Zoning District; and Final Development Plan to construct an 8,260 square foot retail/office building at 6996 France Avenue for FE70, LLC subject to the following findings:

1. The proposed land uses are consistent with the Comprehensive Plan.
2. The proposal is consistent with the approved Preliminary Rezoning and Preliminary Development Plan.
3. The site layout would be an improvement over a site layout required by standard zoning; the building is brought up to the street, provides front door entries toward the street, includes sidewalks to encourage a more pedestrian friendly environment along the street.
4. The design of the building is of a high quality stone with large windows. The building is consistent with the small scale buildings on this block.
5. The development would incorporate improved landscaping and green space, a decrease in impervious coverage, and an infiltration area.
6. The contaminated soils on the site would be cleaned up.
7. Traffic would be improved in the area with a right-in only access on France Avenue, the elimination of the curb cut nearest the intersection and narrowing the curb cut further to the west.
8. The proposed project would meet the following goals and policies of the Comprehensive Plan:
 - a. Building Placement and Design. Where appropriate, building facades should form a consistent street wall that helps to define the street and enhance the pedestrian environment. On existing auto-oriented development sites, encourage placement of liner buildings close to the street to encourage pedestrian movement.

- Locate prominent buildings to visually define corners and screen parking lots.
- Locate building entries and storefronts to face the primary street, in addition to any entries oriented towards parking areas.
- Encourage storefront design of mixed-use buildings at ground floor level, with windows and doors along at least 50% of the front façade.
- Encourage or require placement of surface parking to the rear or side of buildings, rather than between buildings and the street.

b. Movement Patterns.

- Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
- Limit driveway access from primary streets while encouraging access from secondary streets.
- Provide pedestrian amenities, such as wide sidewalks, street trees, pedestrian-scale lighting, and street furnishings (benches, trash receptacles, etc.)
- A Pedestrian-Friendly Environment. Improving the auto-oriented design pattern discussed above under “Issues” will call for guidelines that change the relationship between parking, pedestrian movement and building placement.

- c. Appropriate Parking Standards. Mixed use developments often produce an internal capture rate. This refers to residents and workers who obtain goods and services from within the development without making additional vehicle trips. Parking ratios for mixed use development should reflect the internal capture rate and the shared parking opportunities this type of development offers.
- d. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.

Final approval is also subject to the following conditions:

- 1) Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped January 6, 2012.
 - Grading plan date stamped January 6, 2012.
 - Landscaping plan date stamped January 6, 2012.
 - Building elevations date stamped January 6, 2012.
- 2) Prior the issuance of a building permit, the following must be submitted:
 - a. A final landscape plan, subject to staff approval. Additionally, a performance bond, letter-of-credit, or cash deposit must be submitted for one and one-half times the cost amount for completing the required landscaping, screening, or erosion control measures.

- b. A construction management plan.
- 3) The property owner is responsible for replacing any required landscaping that dies.
- 4) Submit a copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.
- 5) Compliance with the conditions required by the chief building official in his memo dated January 10, 2012.
- 6) Compliance with the conditions required by the city engineer in his memo dated January February 3, 2012.
- 7) Compliance with the conditions required by the fire marshal in his memo dated January 28, 2012.
- 8) The contaminated soils must be cleaned up per the requirements of the Minnesota Pollution Control Agency.
- 9) Adoption and compliance with the PUD Ordinance for the site.

Appearing for the Applicant

Sheldon Berg, DJR, Architects.

Discussion

Commissioner Fischer noted that the building elevations and details presented on the final plan are different from the earlier rendering. (sketch plan). Fischer said that he understands that "things" change between preliminary and final; however, he wants everyone to realize if approved as submitted the building will be different from the plan previously viewed.

Applicant Presentation

Mr. Berg presented to the Commission an updated and colored rendering of the building. Berg stated that the exterior materials would be the same as previously submitted and approved. Berg acknowledged that changes were made to the building. Berg presented to the Commission the materials board and stood for questions.

Discussion/Comments

Commissioner Schroeder said he observed that the plans as presented do not adequately illustrate site and building lighting. Schroeder said lighting was important especially as it relates to pedestrian movement. Continuing, Schroeder said in his opinion the final plan doesn't present sufficient illumination levels to support active pedestrian movements.

Schroeder also noted that in his opinion the entrance to the building isn't as inviting as it was on the previous rendering. Concluding, Schroeder stated that in his opinion the plans presented do not enhance the pedestrian experience, the building doesn't "address" the street and the changes made between sketch plan review and final are less than desirable.

Commissioner Schroder also commented that he didn't see any reference to snow storage on the final plans. Mr. Berg responded that the 5-foot buffer around the perimeter of the site would be used to accommodate snow storage. Schroeder said he assumes if one parking space was used for snow storage any snow in excess of that single space would be removed from the site. Berg agreed that would have to be the case.

Public Comment

Acting Chair Carpenter opened the public hearing for comment; being none Commissioner Scherer moved to close the public hearing. Commissioner Potts seconded the motion. All voted aye; motion carried.

Discussion

Commissioner Platteter asked Planner Teague if signage was part of the review process. Teague responded that the Planning Department reviews all sign permits; however sign review isn't part of this process. Continuing, Teague explained the "vitamin" store and office would need to go through the sign permitting process before signs are erected. Teague noted that all signs would be required to meet City Code.

Commissioner Forrest said she observed that the final site plan doesn't indicate bike racks, adding that in her opinion bike racks should be included on the plan. Continuing, Forrest said she agrees with the comments from Commissioner Fischer that the building elevations presented aren't the same as previously presented, adding she doesn't like the "new" building as well as the "old" building. Forrest said she was still concerned with the internal circulation and parking near the trash enclosure area. Concluding, Forrest noted that this is the City's first PUD and the intent of the PUD process was to ensure by ordinance that what was approved was actually built.

Planner Teague responded that he agrees with the comment from Commissioner Forrest on bike racks, adding that bike racks are required by Code; that concern would be addressed.

Commissioner Fischer asked Commissioners how they felt about the change in the building between sketch plan and final.

Commissioner Platteter acknowledged the changes adding in his opinion the changes seem "OK". Continuing, Platteter said he was more concerned moving forward; especially with larger projects and at what point in the process would "changes" trigger coming back before the Commission or Council. He concluded that the changes to the project presented this evening

may not be deemed significant; however, he reiterated significant changes need to be reviewed by the Commission and Council before a project receives approval.

Planner Teague responded that staff reviews all changes and if those changes are considered significant staff would require the applicant to "amend" the approved plan and appear before the Commission and City Council for approval of those changes. Platteter stated if in the future there are minor or major changes to an approved plan the applicant should be required to list those changes. Teague agreed.

Commissioner Fischer asked the applicant the reason behind the building changes. Mr. Berg explained that the changes came about because one tenant desired mezzanine space; storefront space was expanded and signage considerations.

Acting Chair Carpenter asked if there was further discussion on the changes to the building.

Commissioner Forrest reiterated she was disappointed in the final plan. She added in her opinion the plans presented seem tenuous.

Commissioner Scherer said she also feels the first rendering presented to the Commission was best, adding in her opinion the first design was more sophisticated. Expanding on the comments from Commissioner Forrest, Scherer said lighting needs to be "firmed up", and the landscaping plan, while it may be substantial, needs more detail; especially on the trees.

Mr. Berg responded that the landscaping plan indicates 15 over-story trees and meets Code. With graphics he pointed out the light poles, entrance lighting and lighting on the north side.

Planner Teague said that review of all lighting occurs during the building permit and plan review process.

The discussion continued on the changes to the building between sketch plan review and final approval. Commissioners considered tabling the request directing the applicant to return to the Commission with revisions to include a "current" colored rendering and plans reflecting the concerns expressed on bike racks, landscaping, lighting, circulation and the way the building addresses the street. Commissioners stressed the importance of streetscape and the pedestrian experience.

Motion

Commissioner Schroeder said that in his opinion the final plan generally conforms to the preliminary plan and moved to recommend that the City Council approve the Final Rezoning from PCD-4, Planned Commercial District to PUD, Planned Unit Development District; adoption of the Ordinance Amending the Zoning Ordinance to establish the PUD Zoning District; and Final Development Plan to construct an 8,260 square foot retail/office building at 6996 France

Avenue for FE70, LLC based on staff findings and conditions outlined in the staff report and subject to the following additional conditions:

- Submit a photometric lighting plan that details illumination levels sufficient to support an active pedestrian movement along France Avenue and West 70th Street.
- Snow will be removed from the site at the point where stored snow consumes one parking space;
- Submit a revised site plan to indicate the location of the bicycle storage area that complies with City Code.
- Submit an internal truck movement circulation plan. That plan would be subject to review by the City Engineer.
- Revise the building plans to address the loss of articulation of the pedestrian entries from France & West 70th Street.
- Submit more definitive color renderings of the proposed building including finishes. The color renderings must be revised to add the changes made to the pedestrian entries off the street.

Commissioner Forrest seconded the motion. All voted aye; motion carried.

VII. REPORTS/RECOMMENDATIONS

None.

VIII. CORRESPONDENCE AND PETITIONS

Acting Chair Carpenter acknowledged receipt of Council Connection and Attendance.

IX. CHAIR AND COMMISSION MEMBER COMMENTS

None.

X. STAFF COMMENTS

XI. ADJOURNMENT

Commissioner Potts moved for adjournment at 8:20 PM. Commissioner Platteter seconded the motion. All voted aye; motion carried.

Respectfully submitted